

REMARKS:

The Examiner has kindly indicated the allowability of Claim 7. Claim 1 has been amended to include the features of Claims 6 and 7 so that it is believed that amended Claim 1 is in good order for allowance.

Claims 6, 7 and other redundant claims have been cancelled.

New Claim 15 has been added which is directed to the arrangement of the lottery ticket with a break-open window and the switch being actuated by opening the window.

The Examiner will appreciate that this claim is based on original Claim 5 which was rejected under 35 U.S.C.102 based on Billings, where the Examiner has referred to the game pieces 108 which are removed as a complete piece exposing the underlying substrate which can then be actuated by touching to cause the switching.

New Claim 15 now states that the window is of the hinged type commonly used in lottery tickets. Also the claim states that the switching is actuated by the opening of the window.

Clearly Billings does not provide either of these features so that a rejection under 35 U.S.C.102 cannot be sustained. It is submitted that a rejection under 35 U.S.C.102 would also not be proper since there is no prior art disclosing either of the above features. While hinged break-open windows are known in lottery tickets, Billings clearly is not related to this field and there is no motivation to combine art relating to lottery tickets with art relating to children's electrical games.

The relevant paragraph in the description has been amended to add reference to the hinge window which is clearly shown in Figure 5, so that no new matter has been added.

It is submitted therefore that this application is in good order for allowance.

Respectfully submitted

MICHAEL JOHN BRICKWOOD ET AL

PER: 

Adrian D. Battison  
Registration No: 31,726

ADB/II  
April 17, 2007  
Adrian D. Battison

Winnipeg, Manitoba, Canada  
Telephone (204) 944-0032 - FAX (204) 942-5723